HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition no. 1442 (S/S) 2005

Rajendra Singh S/o Sri Sundar Lal.,
R/o village Murliwala, Block Jaspur,
District Udham Singh Nagar. ----Petitioner.

Vs.

1. State of Uttaranchal, through
   Education Secretary, Dehradun,
2. District Education Officer, Rudrapur,
   Udham Singh Nagar,
3. Zila Basic Shiksha Adhikari, Rudrapur,
   Udham Singh Nagar. ----Respondents.

Sri Khalil Ahmad, learned counsel for the petitioner.
Learned Standing Counsel for the respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Khalil Ahmad, learned counsel for the petitioner and learned Standing counsel for the respondents who accepts notices for the respondents.

By means of this writ petition, the petitioner who is Assistant Teacher in Poorav Madhyamik Vidhyalaya, Babarkhera, Jaspur has challenged the transfer order dated 30.06.2005 passed by District Education Officer, Rudrapur Udham Singh Nagar transferring the petitioner from his present place of posting to Poorav Madhyamik Vidhyalaya, Matiha, Sitarganj, district U.S. Nagar treating him in the category of a surplus teacher.

The petitioner has submitted that as per Govt. Order dated 13th May 2005 issued by the Govt., The teachers who have been treated as surplus teacher, should have been transferred to the nearby schools which fall under remote areas (Durgam Kshetra), vast remote areas (Ati Durgam Kshetra) or special

vast remote areas (Ati Durgam Vishitha Kshetra). Contention of the petitioner is that the posts of Assistant Teachers are vacant under those categories of Schools near the present place of his posting and he may be adjusted in these Schools.

Counsel for the petitioner has submitted that the petitioner, by raising all his grievances, has already moved representation on 27.08.2005 to the District Education Officer, Udham Singh Nagar, therefore, the respondents may be directed to decide his representation.

Accordingly, without entering into merits of the case, I direct the District Education Officer, Udham Singh Nagar to decide the representation of the petitioner within a period of four weeks from the date of receipt of a certified copy of this order. The petitioner is directed to produce a certified copy of this order before District Education Officer alongwith, the representation raising all his grievances within ten days from today.

The writ petition is finally disposed of accordingly.

(M.M. Ghildiyal, J.)

Sepetmeber 29, 2005:
NCM: